

09/942,418

CHQ919980066US2

Status of the Claims

The following remarks have been submitted in consideration of the Office Action mailed August 25, 2005. Claims 1-13 remain pending for examination. Claim 1 is the only independent claim. Claim 1 has been amended to include features disclosed in at least claim 14, as originally filed. No new matter has been added.

Rejection of Claims 1-4, 7-8, and 13 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,787,015 to Aldridge ("Aldridge")

Claims 1-4, 7-8 and 13 stand rejected pursuant to 35 U.S.C. § 102(b) as anticipated by Aldridge. Applicants respectfully traverse this rejection in consideration of the claim amendments most recently filed.

With respect to independent claim 1, it is a feature of the claimed invention that the instrumentation device comprises a status light set, having at least two lights. Applicants respectfully submit that these features (at least) are neither disclosed nor suggested by Aldridge.

Accordingly, Applicants respectfully submit that independent claim 1 is patentable over Aldridge and that claims 2-4, 7-8, and 13 are patentable by virtue of their dependence on an allowable base claim. Applicants respectfully request withdrawal of this rejection against claims 1-4, 7-8, and 13.

09/942,418

CHQ919980066US2

Rejection of Claims 5-6 and 9 under 35 U.S.C. § 103(a) as unpatentable over Aldridge

Claims 5-6 and 9 stand rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over Aldridge. Applicants respectfully traverse this rejection in consideration of the claim amendments most recently filed.

Claims 5-6 and 9 depend from independent claim 1 which is patentable for the reasons identified herein above.

Accordingly, Applicants respectfully submit that Claims 5-6 and 9 are patentable over Aldridge in view of the art, and therefore request withdrawal of the rejection.

Rejection of Claims 1 and 10-12 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,876,265 to Kojima ("Kojima") in view of Aldridge

Claims 1 and 10-12 stand rejected under 35 U.S.C. §103(a) over Kojima in view of Aldridge. Applicants respectfully traverse this rejection in consideration of the claim amendments most recently filed.

Claims 10-12 depend from claim 1. For the reasons stated herein above, these dependent claims are patentable by virtue of their dependence on an allowable base claim.

Further, with respect to the amended claim 1, Applicants note that it is a feature of the claimed invention that the instrumentation device includes a status light set that has at least two lights. As mentioned herein above, Aldridge does not teach an instrumentation device that includes a status light set that has at least two lights. Further, Aldridge does not teach at least one of the three sets of outputs is to the status light set. Kojima does not compensate for Aldridge's deficiencies.

09/942,418

CHQ919980066US2

None of the prior art references teach an instrumentation device that includes a status light set that has at least two lights and further that at least one of the three sets of outputs is to the status light set. As stated on page 7, lines 4-7 of the specification, the status light set is advantageous because the status light set "enables distance awareness of the system status." Further as stated on page 3, lines 2-6 of the specification, it is at least one of the objects of the present invention "to provides a device that enables automatic communication between the polisher and the physically distant command and control unit in a CMP endpoint detection system so that the polisher reacts in real time to the detection of an endpoint condition." Neither Kojima nor Aldridge appreciate the objective of the claimed instrumentation device, and therefore neither Kojima nor Aldridge teach or suggest an instrumentation device, as presently claimed, that has the additional advantage of "distant awareness of the system status." For this further reason, the claimed invention is patentable over the combination of Kojima and Aldridge.

Accordingly, Applicants respectfully submit that 1 and 10-12 are patentable over Kojima in view of Aldridge, and therefore request withdrawal of the rejection.

Conclusion

Applicants respectfully submit that claim 1 is allowable and claims 2-13 are similarly allowable by virtue of their dependence on an allowable base claim. For the foregoing reasons, it is respectfully submitted that the present application is in condition for allowance.

Reconsideration and allowance of the pending claims is respectfully requested.

09/942,418

CHQ919980066US2

Respectfully Submitted,

Li, et al.



Lisa U. Jaklitsch, Registration No. 45,168

Telephone: (845) 894-3338

International Business Machines Corporation
Zip 482
2070 Route 52
Hopewell Junction, NY 12533
Fax No. (845) 892-6363